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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

ERIC LANE BYRD,

Defendant and Appellant.

A096318

(Humboldt County  
Super. Ct. No. CR011283)

Eric Lane Byrd appeals from a judgment of conviction entered upon a plea of guilty. Appellant's court-appointed counsel has briefed no issues and asks this court to review the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436.

An information filed in Humboldt County Superior Court charged appellant with receiving stolen property (Pen. Code, § 496, subd. (a))<sup>1</sup> and further alleged two sentencing enhancements, each for having served a separate prior prison term (§ 667.5, subd. (b)).

In a negotiated disposition, appellant pleaded guilty to receiving stolen property (§ 496, subd. (a)), with the understanding that he would be sentenced to a maximum of two years in state prison to be served concurrently with any prison term imposed (in El Dorado County) for a probation violation.<sup>2</sup> Pursuant to the terms of the plea bargain, the

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<sup>1</sup> All statutory references are to the Penal Code.

<sup>2</sup> In order to effectuate the terms of the plea bargain, the court continued sentencing until appellant resolved his matter in El Dorado County.

court granted the prosecution's motion to dismiss the two remaining enhancements (§ 667.5, subd. (b)).

The court sentenced appellant to the middle term of two years in state prison for receiving stolen property (§ 496, subd. (a)), to be served concurrently with the term imposed by El Dorado County. The court granted appellant 111 days' total presentence credit and ordered him to pay a \$400 restitution fine.

Appellant was represented by counsel throughout the proceedings.

Before appellant pleaded guilty, the court advised him of the constitutional rights he would be waiving and the direct consequences of his plea. Appellant expressly waived his constitutional rights and knowingly and voluntarily pleaded guilty.

There was no sentencing error.

There are no legal issues that require further briefing.

The judgment is affirmed.

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Ruvolo, J.

We concur:

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Haerle, Acting P.J.

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Lambden, J.